

BILL NO. S-73-05 - 13

SPECIAL ORDINANCE NO. S-65-73

AN ORDINANCE approving a contract with CONRAD ERECTION & SUPPLY and HIPSKIND ASPHALT CORP. to cover the cost of emergency repairs to the Lafayette Street Underpass.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. A certain contract approved May 1, 1973, between the City of Fort Wayne, by and through its Mayor and the Board of Public Works, and CONRAD ERECTION & SUPPLY and HIPSKIND ASPHALT CORP., for:

Repair of Lafayette Street Underpass	
East Side Item #3	\$4,840.00
60.25 tons of 10.00 per ton	602.50
	<u>\$5,442.50</u>

and

Repair of Item No. 1 West side south section on Lafayette Street underpass in the amount of \$4340.00 plus 11 tons of stone and back fill at \$10.00 per ton.	\$4,450.00
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all for a total cost of \$9,892.50, all as more particularly set forth on Civil City Purchase Orders No. 3-15363 and 3-15300, which is by reference incorporated herein and made a part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

  
Councilman

APPROVED AS TO FORM  
AND LEGALITY.

  
CITY ATTORNEY

Read the first time in full and on motion by Stier, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Public Works (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 5/8/73

Charles W. Hesterman  
CITY CLERK

Read the third time in full and on motion by Stier, seconded by Hinga, and duly adopted, placed on its passage. Passed (~~Lost~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____	to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

DATE: 5/22/73

Charles W. Hesterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. 8-65-73 on the 22nd day of May, 1973.

ATTEST: (SEAL)

Charles W. Hesterman  
CITY CLERK

William C. White, Jr.  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 23rd day of May, 1973, at the hour of 4:00 o'clock A. M., E.S.T.

Charles W. Hesterman  
CITY CLERK

Approved and signed by me this 24th day of May, 1973, at the hour of 4:00 o'clock P. M., E.S.T.

John A. Pearson  
MAYOR

Bill No. S-73-05-13

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on PUBLIC WORKS to whom was referred an Ordinance

Approving a contract with CONRAD ERECTION & SUPPLY and

HIPSKIND ASPHALT CORP. to cover the cost of emergency repairs to

to the Lafayette Street Underpass.

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

James S. Stier - Chairman

Eugene Kraus, Jr. - Vice Chairman

Samuel J. Talarico

William Hinga

Vivian G. Schmidt

James S. Stier  
Eugene Kraus, Jr.  
Samuel J. Talarico  
William Hinga  
Vivian G. Schmidt

DATE 5-22-73 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

board of public works

May 3, 1973

The Common Council  
City of Fort Wayne

Attention Mr. James S. Stier

Gentlemen:

For some time the City has been aware of a hazardous condition existing with the retaining walls at the Lafayette Street railroad underpass. All means were pursued to try and get the railroad or State Highway to make repairs but discovered the retaining walls are the City's responsibility. (See Resolution attached).

Last month the situation became so critical it was necessary for the Board to adopt an Emergency Resolution and proceed to have partial repairs made immediately. The Street Engineering Department contacted several contractors and received bids. Conrad Erection Company submitted the low bid and with the help of Hipskind Asphalt Corporation made the most urgent repairs.

Two purchase orders for a total of \$9,892.50 will be presented to the Council for Ordinance. In the meantime, the contractor is not financially able to wait for the passing of an ordinance before receiving payment. Therefore, he has requested that we ask for a "Prior Approval" to allow for payment.

Sincerely,

Dr. Jerry D. Boswell, Chairman  
Board of Public Works

JDB/ss

APPROVED:

MEMBERS OF THE COMMON COUNCIL

CITY OF FORT WAYNE  
DEPARTMENT OF PURCHASES  
NUMBER ONE EAST MAIN STREET  
ROOM 930

FORT WAYNE, INDIANA 46802

MAIL ALL CORRESPONDENCE, CLAIM VOUCHERS ETC. TO:

PURCHASE ORDER NUMBER

3- 15300

DATE April 26, 1973

REF. NO.

REQ. NO.

190

THE ABOVE INFORMATION MUST APPEAR ON  
ALL INVOICES, BILLS OF LADING, DELIVERY  
TICKETS, PACKAGES AND CORRESPONDENCE.

INVOICE IN DUPLICATE.

THIS PURCHASE ORDER ISSUED BY:

DEPT. DP

DATE  
WANTED

APPROPRIATION  
AND FUND  
NUMBER

66-2-268

DELIVER TO:-

DEPARTMENT  
OR DIVISION

\*Same as above

ADDRESS

CASH DISCOUNT TERMS

% IF PAID WITHIN

DAYS FROM DELIVERY AND

ACCEPTANCE OF GOODS OR PERFORMANCE OF SERVICES. (DEDUCTION FOR DISCOUNT SHOWN BELOW)

QUANTITY ORDERED	UNIT	MATERIALS, SUPPLIES OR SERVICES	UNIT PRICE	AMOUNT
<b>TAX EXEMPT</b> (UNLESS OTHERWISE INDICATED)				
		Repair of Item No. 1 West side south section on Lafayette Street underpass in the amount of \$4340.00 plus 11 tons of stone and back fill at \$10.00 per ton		4450.00
		Emergency - Resolution 59-196-17		
		Confirming		
Purchase Order Subject to Councilmanic Approval				
		<b>APPROVED</b> BOARD OF PUBLIC WORKS <i>Ronald J. Demetroff</i> CHAIRMAN		
		<b>A Demetroff</b>		
		DATE		
I HEREBY CERTIFY THAT THE COST OF THE ABOVE PURCHASE IS FULLY COVERED BY UNENCUMBERED BALANCES IN THE ABOVE FUNDS AND THAT THE EXPENDITURE THEREFOR HAS BEEN DULY AUTHORIZED AND APPROPRIATED.		I HEREBY CERTIFY UPON MY OWN PERSONAL KNOWLEDGE THAT THIS ORDER IS AUTHORIZED BY A PROPERLY EXECUTED AND APPROVED RESOLUTION ON FILE IN THIS OFFICE.		
_____- City Controller		_____- Director of Purchases		
Per <i>[Signature]</i>		Per <i>[Signature]</i>		

MAIL ALL CORRESPONDENCE, CLAIM VOUCHERS ETC. TO:

Board of Public Works  
9th Flr., City-County Bldg.  
One Main St., Ft. Wayne, Ind. 46802\*

Conrad Erection & Supply  
Hipskind Asphalt Corp  
PO Box 134  
Fort Wayne, Ind. 46801

DELIVER TO:-  
DEPARTMENT  
OR DIVISION

\*Same as above

ADDRESS \_\_\_\_\_  
CASH DISCOUNT TERMS \_\_\_\_\_ % IF PAID WITHIN \_\_\_\_\_ DAYS FROM DELIVERY AND  
ACCEPTANCE OF GOODS OR PERFORMANCE OF SERVICES. (DEDUCTION FOR DISCOUNT SHOWN BELOW)

DATE ~~April~~ May 1, 1973  
REF. NO.  
REQ. NO. 195

THE ABOVE INFORMATION MUST APPEAR ON  
ALL INVOICES, BILLS OF LADING, DELIVERY  
TICKETS, PACKAGES AND CORRESPONDENCE.  
INVOICE IN DUPLICATE.

THIS PURCHASE ORDER ISSUED BY:

DEPT. DP

DATE  
WANTED }

APPROPRIATION  
AND FUND  
NUMBER }

66-2-268

QUANTITY ORDERED	UNIT	MATERIALS, SUPPLIES OR SERVICES	UNIT PRICE	AMOUNT
<u>TAX EXEMPT</u> (UNLESS OTHERWISE INDICATED)				
COMPLIANCE WITH THE DELIVERY DATE REQUESTED WILL AVOID "FOLLOW UP" CORRESPONDENCE.				
<p><b>NOTE</b></p> <p>↓</p> <p><b>READ</b></p> <p>INSTRUCTIONS ON THE BACK OF THIS ORDER</p> <p>THE CONTRACTOR OR VENDOR, BY ACCEPTING THIS ORDER, AGREES TO THE GENERAL CONDITIONS AND TERMS OF AGREEMENT ON THE BACK OF THIS ORDER.</p> <p>UNLESS OTHERWISE INDICATED THE PRICES SHOWN INCLUDE ALL CHARGES FOR DELIVERY, PACKING, ETC., NECESSARY TO COMPLETE DELIVERY TO DESTINATION SPECIFIED.</p> <p>UNLESS OTHERWISE INDICATED THE PRICES SHOWN DO NOT INCLUDE TAXES OF ANY KIND.</p> <p>EXEMPTION BLANKS WILL BE FURNISHED WHEN NECESSARY.</p> <p>INO. SALES TAX EXEMPT. CERTIF. NO. 34508</p> <p>IF THIS ORDER DOES NOT AGREE WITH YOUR QUOTATION, KINDLY RETURN IT WITH AN EXPLANATION.</p>				
		Repair of Lafayette Street Underpass		
		East Side Item #3	4,840.00	
		60.25 tons of 10.00 per ton	602.50	5,442.50
Emergency-Resolution 59-196-17				
Purchase Order Subject to Councilmanic Approval.				
<p><b>APPROVED</b></p> <p>BOARD OF PUBLIC WORKS</p> <p><i>Ronald G. Kamnikar</i> CHAIRMAN</p> <p>DATE _____</p>				
A. Demetroff				

I HEREBY CERTIFY THAT THE COST OF THE ABOVE PURCHASE IS FULLY COVERED BY UNENCUMBERED BALANCES IN THE ABOVE FUNDS AND THAT THE EXPENDITURE THEREFOR HAS BEEN DULY AUTHORIZED AND APPROVED.

EDWARD G. KAMNIKAR

I HEREBY CERTIFY UPON MY OWN PERSONAL KNOWLEDGE THAT THIS ORDER IS AUTHORIZED BY A PROPERLY EXECUTED AND APPROVED REQUESTION ON FILE IN THIS OFFICE.

*G. H. Demetroff* - Director of Purchases

*John H. Harkins* - City Controller

Per

Per

EMERGENCY RESOLUTION

No. 59-196-17

Emergency Repair - Lafayette Street Railroad Elevation

WHEREAS, the retaining walls holding the sidewalk on the Lafayette Street railroad elevation structure have deteriorated to a point of near collapse, and

WHEREAS, the engineering department has notified the railroad and the Indiana State Highway Commission of this hazard and requested immediate repair, and

WHEREAS, said Highway Commission has referred responsibility to the railroad, and

WHEREAS, said railroad has supplied this Board with a copy of an agreement dated May 5, 1925, between the City and the railroad, wherein the City agreed to assume responsibility for maintenance of all pavements, sidewalks, retaining walls, etc., except for the superstructure, which is the responsibility of the railroad, and

WHEREAS, Street Engineering solicited bids from four different contractors for said work which was forwarded to the Board of Works on March 13, 1973, and

WHEREAS, the Allen County Commissioners had refused to perform said maintenance from their accumulative bridge fund on the basis of the agreement between the City and the railroad,

NOW THEREFORE, be it resolved that the Board of Public Works on this date has authorized the repair of this under pass by Conrad Erection to eliminate this public hazard.

APRIL 4, 1973

# CONRAD ERECTION & SUPPLY

431 Commerce Drive  
FORT WAYNE, INDIANA 46806  
Phone 743-6471

PROPOSAL SUBMITTED TO <i>CITY OF FT WAYNE</i>		PHONE	DATE <i>3-12-73</i>
STREET <i>#1 MAIN STREET</i>		JOB NAME <i>LAFAYETTE ST UNDERPASS</i>	
CITY, STATE AND ZIP CODE <i>FT WAYNE</i>		JOB LOCATION <i>LAFAYETTE ST &amp; PENN CENTRAL</i>	
ARCHITECT <i>CITY STREET DEPT</i>	DATE OF PLANS <i>3-12-73</i>	JOB PHONE	

We hereby submit specifications and estimates for:

*AS PER THE ATTACHED DRAWING*

*Item #1 4340<sup>00</sup>*

*Item #2 5160<sup>00</sup>*

*Item #3 4840<sup>00</sup>*

*Item #4 4840<sup>00</sup>*

*BANK RUN NECESSARY BEHIND WALL - HAND  
COMPACTED \$10<sup>00</sup> PER TON*

*ANY SEWER OR CATCH BASIN REPAIR TO BE  
ADDED ON A T/M BASIS OR REPAIRED BY  
CITY FORCES*

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Payment to be made as follows: \_\_\_\_\_ dollars (\$ \_\_\_\_\_).

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized Signature *Maof Conrad*  
Note: This proposal may be withdrawn by us if not accepted within \_\_\_\_\_ days.

**Acceptance of Proposal** — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: \_\_\_\_\_

Signature \_\_\_\_\_  
Signature \_\_\_\_\_



# MOELLERING CONSTRUCTION CO., Inc.

PAVING, GRADING AND BRIDGE CONTRACTORS

Office and Yard • Engle Road Telephone 747-9811

Post Office Box 1168

FORT WAYNE, INDIANA 46801

March 13, 1973

City of Fort Wayne  
City Engineer Office  
City-County Bldg.  
Ft. Wayne, Indiana

Attn.: Mr. Robert Guitard r  
Asst. City Engineer

Re: Emergency Repair  
Lafayette Str. Underpass  
Ft. Wayne, Indiana

Gentlemen:

In accordance with your directions and sketches we submit the following quotation for repairs to walls at the subject location. We will furnish all labor, materials, equipment, and supplies including all barricade maintenance to complete the following:

- A. West Side South Section of Wall ("emergency") for the lumpsum of \$ 5,125.00.
- B. West Side North Section of Wall ("not emergency but bad") for the lumpsum of \$ 6,992.00.

If both A and B are constructed simultaneously, deduct \$600.00 from the combination.

- C. East Side North Section of Wall ("emergency") for the lumpsum of \$ 5,885.00.
- D. East Side South Section of Wall ("not emergency, but bad") for the lumpsum of \$ 4,210.00.

If both C and D are constructed simultaneously, deduct \$480.00 from the combination.

Respectfully submitted,

MOELLERING CONSTRUCTION CO., INC.

By

Robt. C. Moellering, Pres.

RCM:lb

May 3, 1973

The Common Council  
City of Fort Wayne

Attention Mr. James S. Stier

Gentlemen:

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Last month the situation became so critical it was necessary for the Board to adopt an Emergency Resolution and proceed to have partial repairs made immediately. The Street Engineering Department contacted several contractors and received bids. Conrad Erection Company submitted the low bid and with the help of Hipskind Asphalt Corporation made the most urgent repairs.

Two purchase orders for a total of \$9,892.50 will be presented to the Council for Ordinance. In the meantime, the contractor is not financially able to wait for the passing of an ordinance before receiving payment. Therefore, he has requested that we ask for a "Prior Approval" to allow for payment.

Sincerely,

Dr. Jerry D. Boswell, Chairman  
Board of Public Works

JDB/ss

APPROVED:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MEMBERS OF THE COMMON COUNCIL

DIGEST SHEET

*Public Works* ✓  
*J 73-05-13*

TITLE OF ORDINANCE Civil City Purchase Orders/Emergency repairs on Lafayette Street  
Underpass

DEPARTMENT REQUESTING ORDINANCE Board of Public Works

SYNOPSIS OF ORDINANCE \_\_\_\_\_

Refer to letter asking for prior approval addressed to Jimmy Stier (copy attached)

Also attached is a copy of the Emergency Resolution

EFFECT OF PASSAGE Will allow us to release payment to the contractor.

EFFECT OF NON-PASSAGE \_\_\_\_\_

MONEY INVOLVED (Direct Costs, Expenditures, Savings) \_\_\_\_\_

Conrad Erection & Supply \$5,442.50

Hipskind Asphalt Corp. \$4,450.00

\$9,892.50 Total cost to City.

ASSIGNED TO COMMITTEE (J.N.)

*Public Works*

*WCB*

## ORDINANCE CHECK-OFF SHEET

## INFORMATION REGARDING ORDINANCE

## CONTENTS OF ORDINANCE

	BILL NO. <i>D-73-05-13</i>
	ORDINANCE NO. <i>D-65-73</i>
<i>1</i>	REGULAR SESSION <i>5-8-73</i>
	SPECIAL SESSION
	APPROVED AS TO FORM AND LEGALITY <i>Keller</i>
	BILL WRITTEN BY <i>Bd. of Public Works</i>
<i>X</i>	DATE INTRODUCED <i>5-8-73</i>
	REFERRED TO SAID STANDING COMMITTEE <i>Stier (Public Works)</i>
	REFERRED TO CITY PLAN
	LEGAL PUBLIC HEARING
	LEGAL PUBLICATION
	JOINT HEARING
	DEPARTMENT HEARING
	HOLD FILE
<i>X</i>	PASS <i>5-22-73</i>
	DO NOT PASS
	WITHDRAWN
	SUSPENSION OF RULES
<i>X</i>	PRIOR APPROVAL <i>Letter May 3, 1973</i>
	ORDINANCE TAKEN OUT OF OFFICE
	OTHER INSTRUCTIONS REGARDING ORDINANCE
	CORRECTIONS MADE TO ORDINANCE
	PEOPLE SPEAKING FOR ORDINANCE
	PEOPLE SPEAKING AGAINST ORDINANCE

<i>X</i>	COMMITTEE SHEET
<i>X</i>	VOTE SHEET
<i>X</i>	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
	<i>Emergency Operation</i>
	ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

*Deputy Clerk.*

## COUNCILMAN'S VOTE

	<i>9</i>		
	YES	NAYS	ABSENT
BURNS	<i>X</i>		
HINGA	<i>X</i>		
KRAUS	<i>X</i>		
MOSES	<i>X</i>		
NUCKOLS	<i>X</i>		
D. SCHMIDT	<i>X</i>		
V. SCHMIDT	<i>X</i>		
STIER	<i>X</i>		
TALARICO	<i>X</i>		

COMMENTS: